

AMENDED IN SENATE APRIL 11, 2005

SENATE BILL

No. 905

Introduced by Senator Machado

February 22, 2005

An act to amend Section ~~48644.5~~ of 42238.15 of, and to repeal Section 54697 of, the Education Code, relating to ~~opportunity classes and programs~~ school finance.

LEGISLATIVE COUNSEL'S DIGEST

SB 905, as amended, Machado. ~~Opportunity classes and programs: reimbursement~~ Partnership academies.

Existing law provides for the establishment of partnership academies by participating school districts and establishes criteria qualifying "at-risk" students for enrollment in the academies. Existing law also requires the Superintendent of Public Instruction to select an entity to conduct a long-term evaluation of the academies.

This bill would delete this evaluation requirement.

The bill would also require the funding for the academies to be increased annually utilizing standards contained in existing law.

Existing law provides that the governing board of a school district that maintains opportunity classes or programs for pupils enrolled in grades 7 to 9, inclusive, is eligible to receive reimbursement for certain costs of increasing the availability of these classes or programs, with specified requirements. Existing law makes that these provisions are inoperative on July 1, 2005, and provides for the repeal of these provisions on January 1, 2006.

This bill would extend the operation of these provisions until July 1, 2010, and would repeal these provisions as of January 1, 2011.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 ~~SECTION 1. Section 48644.5 of the Education Code is~~
2 ~~amended to read:~~

3 *SECTION 1. Section 42238.15 of the Education Code is*
4 *amended to read:*

5 42238.15. (a) Notwithstanding any other ~~provision~~ of law,
6 and in lieu of any inflation or cost-of-living adjustment otherwise
7 authorized for any of the programs enumerated in subdivision
8 (b), state funding for the programs enumerated in subdivision (b)
9 shall be increased annually by the product of the following:

10 (1) The sum of 1.0 plus the percentage change determined
11 under subdivision (b) of Section 42238.1.

12 (2) The sum of 1.0 plus the percentage of increase, from the
13 prior fiscal year to the current fiscal year, in each of the workload
14 factors described in subdivision (b).

15 (b) The programs for which annual state funding increases are
16 determined under this section, and the factors used to measure
17 workload for each of those programs, are as follows:

18 (1) Special education programs and services, as measured by
19 the regular second principal apportionment average daily
20 attendance for kindergarten and grades 1 to 12, inclusive.

21 (2) Child care and development programs, and preschool
22 programs, as measured by the state population of children up to
23 and including four years of age.

24 (3) Instructional materials for kindergarten and grades 1 to 8,
25 inclusive, as measured by enrollment in kindergarten and grades
26 1 to 8, inclusive.

27 (4) Instructional materials for grades 9 to 12, inclusive, as
28 measured by enrollment in those grades.

29 (5) Regional occupational programs and centers, as measured
30 by enrollment in grades 11 and 12.

31 (6) School improvement programs in kindergarten and grades
32 1 to 6, inclusive, as measured by enrollment in kindergarten and
33 grades 1 to 6, inclusive.

34 (7) School improvement programs in grades 7 to 12, inclusive,
35 as measured by enrollment in those grades.

36 (8) Economic impact aid, as measured by the number of
37 children of ages 5 to 17 years, inclusive, from families that
38 receive Aid to Families with Dependent Children and the number

1 of pupils of limited English proficiency, as identified pursuant to
2 Section 52163.

3 (9) Staff development programs, as measured by enrollment in
4 kindergarten and grades 1 to 12, inclusive.

5 (10) Gifted and talented education programs, as measured by
6 enrollment in kindergarten and grades 1 to 12, inclusive.

7 (11) *Partnership academies, as measured by enrollment in*
8 *grades 9 to 12, inclusive.*

9 *SEC. 2. Section 54697 of the Education Code is repealed.*

10 ~~54697. (a) The Superintendent of Public Instruction shall~~
11 ~~select an entity (the “evaluating entity”) to conduct a long-term~~
12 ~~evaluation of the Partnership Academies conducted pursuant to~~
13 ~~this article using a random assignment of pupils into program and~~
14 ~~control groups. The participation of any school district in this~~
15 ~~long-term evaluation is voluntary.~~

16 ~~(b) In order to qualify for participation in the evaluation of any~~
17 ~~Partnership Academy as described in subdivision (a), a school~~
18 ~~district shall demonstrate that the number of pupils seeking~~
19 ~~admission to the academy, who qualify for admission under~~
20 ~~applicable criteria, exceeds the number of openings in the~~
21 ~~academy.~~

22 ~~(c) The evaluation shall be conducted on a basis that results in~~
23 ~~no net cost to the state or to any participating school district. The~~
24 ~~evaluating entity is responsible for obtaining, from other sources,~~
25 ~~any funding that is necessary for the purposes of subdivision (a).~~

26 ~~(d) Notwithstanding any other provision of law, the evaluating~~
27 ~~entity shall have access to pupil records, to the extent permitted~~
28 ~~by federal law, as necessary to perform the evaluation. The~~
29 ~~evaluating entity shall ensure that all personally identifiable~~
30 ~~information regarding any pupil and his or her parent or guardian~~
31 ~~remains confidential.~~

32 ~~(e) The evaluating entity shall coordinate its evaluation~~
33 ~~activities under subdivision (a) with the Superintendent of Public~~
34 ~~Instruction, and provide the superintendent with the results of the~~
35 ~~evaluation upon completion. The Superintendent of Public~~
36 ~~Instruction shall submit the results of the evaluation to the~~
37 ~~Legislature.~~

38 ~~48644.5. This article shall become inoperative on July 1,~~
39 ~~2010, and, as of January 1, 2011, is repealed, unless a later~~
40 ~~enacted statute that is enacted before January 1, 2011, deletes or~~

- 1 ~~extends the dates on which it becomes inoperative and is~~
- 2 ~~repealed.~~

O